

Virginia Board of Pharmacy

**RECOMMENDATIONS FOR THE USE OF CONFIDENTIAL CONSENT AGREEMENTS AND
PRE-HEARING CONSENT ORDERS IN CE VIOLATIONS AND UNLICENSED PRACTICE
CASES**

The following recommendations for use of CCAs and pre-hearing consent orders are in addition to the recommended sanctions in *Guidance Document 110-26 Inspection Violations-Suggested Sanctions*.

Practicing without a required license or registration:

- For matters involving a pharmacist or pharmacy technician who has practiced on an expired license or registration for less than six months (December 31st through June 30th), a CCA may be offered. If the practice exceeds six months, the matter may be referred for a recommended pre-hearing consent order or for informal conference.
- For matters involving an unregistered person performing tasks restricted to pharmacy technicians when that person is not properly in an approved training program, a pre-hearing consent order may be offered to the PIC for a reprimand and a monetary penalty of \$250. A pre-hearing may also be offered to the unregistered person, if he or she applies for registration, for a reprimand and a monetary penalty of \$50. Subsequent matters involving the same conduct may be referred for an informal conference.

CE Violations:

- For matters involving a first-time failure, that is not willful or intentional, of a pharmacist or pharmacy technician to obtain the required hours of CE for one year, a CCA may be offered allowing them to immediately obtain the missing hours of CE and return the original documentation making up the missing hours along with the signed CCA.
- For matters involving a second failure to obtain required hours of CE, a failure covering CE missing for more than one year on an audit, or willful or intentional failure to obtain CE, a pre-hearing consent order may be offered with a monetary penalty of \$100 per missing hour and a \$300 monetary penalty for each fraudulent renewal certifying CE compliance. Such pre-hearing consent order shall also require the pharmacist or pharmacy technician to complete the missing number of hours and submit the original documentation to the Board within 60 days of order entry.
- Subsequent matters involving failure to obtain required CE may be referred for an informal conference.